

THE DIRECTOR OF CENTRAL INTELLIGENCE

WASHINGTON, D. C. 20505

Intelligence Community Staff

DCI/IC-76-1243

9 MAR 1976

MEMORANDUM FOR: Members of the Committee on Foreign Intelligence

SUBJECT : Updated NSCID No. 8, "Photographic Interpretation"

1. References are:

a. Redraft of the existing NSCID No. 8, which it is recommended the CFI approve for forwarding to the National Security Council as part of a proposed new package of NSCIDs. (Tab A)

b. The existing NSCID No. 8, effective 17 February 1972.

2. In accordance with your direction at the 25 February CFI meeting, the existing NSCID No. 8 was changed to the extent necessary to bring it into accord with Executive Order 11905. A new preamble has been substituted using wording provided by the CIA General Counsel. The only other wording changes in the new draft are as follows:

a. Paragraph 1:

"1. Policies

To ensure that the capabilities of the departments and agencies ~~represented on the United States Intelligence Board of the Intelligence Community~~ are most efficiently utilized for the foreign intelligence exploitation of photography, the following basic principles shall apply."

(NOTE: Organizations included in the Intelligence Community are listed in Section 2(b) of Executive Order 11905, effective 18 February 1976.)

b. Paragraph 1b:

"b. Departments and agencies ~~represented on the United States Intelligence Board of the Intelligence Community~~ shall continue to be individually responsible for photographic interpretation..." (Balance of sentence unchanged.)

c. Paragraph 2 a (2):

~~"(2) The-United-States-Intelligence-Board departments-and-agencies-engaged-in-photographic intelligence-production~~ The Central Intelligence Agency and the Department of Defense shall jointly provide appropriate personnel and other support for the NPIC, as agreed by them ~~with-the-Director-of Central-Intelligence.~~" (Second sentence unchanged.)

d. Paragraph 2 b:

"b. Foreign intelligence related photography shall be made available from photographic processing facilities to the NPIC and to designated photographic intelligence units of ~~United-States-Intelligence Board~~ the Intelligence Community departments, agencies and commands simultaneously, and without delay for preliminary analysis, within the bounds of any special security controls required."

e. Paragraph 2 d, last sentence:

"The Center, itself, shall produce and disseminate NPIC photographic interpretation reports (based on an analysis of photography using other sources to assist in this interpretation) and provide other materials and services, in support of the national intelligence effort and approved ~~Priority-National-Intelligence-Objectives~~ national intelligence objectives."

(NOTE: The "Priority National Intelligence Objectives," formerly a USIB-approved document, was rescinded in 1972 on publication of DCID 1/2, "U.S. Foreign Intelligence Priorities," which is reissued annually.)

f. Paragraph 3:

"3. Coordination

In discharging its responsibilities the NPIC shall consult, as appropriate, with individual departments, agencies and committees of the ~~United States-Intelligence-Board~~ Intelligence Community. The intelligence chief of each department or agency ~~represented-on-the-United-States-Intelligence-Board~~ of the Intelligence Community shall coordinate the photographic intelligence activities within his parent organization with the National Photographic Interpretation Center."

3. It is recommended the Committee on Foreign Intelligence approve forwarding the attached redraft of NSCID No. 8 to the National Security Council for its approval, but that the forwarding be deferred pending completion of the redraft of the other NSCIDs.

E. H. Knoche  
Acting Deputy to the DCI  
for the Intelligence Community

Attachment:  
as stated

OGC 76-1122

8 March 1976

MEMORANDUM FOR: General Thomas

SUBJECT : NSCID Preamble Boilerplate Language

I have discussed with John Warner the matter of boilerplate language for inclusion in the preambles of all the NSCIDs in line with our agreement at your meeting this morning. We suggest the following:

By virtue of and pursuant to the Constitutional and inherent authorities vested in the President of the United States and the authorities conferred on the President and the National Security Council by the National Security Act of 1947, as amended, and delegated to the Council by Executive Order 11905, and in order to provide for the security and defense of the United States and to further the policies, purposes and objectives of the National Security Act and Executive Order 11905, it is hereby directed:

The thought of course is to make clear that all of the relevant authorities available to the President and the NSC are the legal basis for the NSCIDs, this to avoid any subsequent charge or question that the authority delegated by an NSCID was outside the scope of the National Security Act or Executive Order 11905 and therefore was an invalid delegation.



Associate General Counsel  
Chief, General Law Division

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